IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS LUFKIN DIVISION

| SHANNON WILLIAMS, | § | |
|--------------------------------|----------------|------------------------------------|
| Plaintiff, | § § 8 | |
| V. | \$ \$ \$ | CIVIL ACTION NO. 9:21-CV-00071-MJT |
| THE CITY OF NACOGDOCHES, | § | JUDGE MICHAEL J. TRUNCALE |
| TEXAS, ITS FORMER POLICE | § | |
| OFFICER JOSH ANDERSON, and THE | § | |
| OVERLOOK AT NACOGDOCHES, | § | |
| APARTMENT COMPLEX, | § | |
| | § | |
| Defendants. | § | |

ORDER ADOPTING REPORT AND RECOMMENDATION

On November 18, 2022, the Court referred this case to United States Magistrate Judge Zack Hawthorn for pretrial management. [Dkt. 102]. Pending is Defendant the City of Nacogdoches, Texas's ("the City") Fourth Motion to Dismiss Under Rule 12(b)(6). [Dkt. 100]. On December 21, 2022, Judge Hawthorn issued his Report and Recommendation recommending granting the City's pending Motion to Dismiss. [Dkt. 110]. On January 12, 2023, Plaintiff Shannon Williams filed her Objection to Report and Recommendation Granting Defendant the City of Nacogdoches's Motion to Dismiss. [Dkt. 115].

A party who files timely written objections to a magistrate judge's report and recommendation is entitled to a *de novo* determination of those findings or recommendations to which the party specifically objects. 28 U.S.C. § 636(b)(l)(c); FED. R. CIV. P. 72(b)(2)–(3). "Parties filing objections must specifically identify those findings [to which they object]. Frivolous, conclusive or general objections need not be considered by the district court." *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by*

Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415 (5th Cir. 1996) (en banc).

The court has conducted a *de novo* review of the magistrate judge's report and recommendation and has carefully considered Plaintiff's objections. The court finds that the magistrate judge's conclusions are correct, and that Plaintiff's objections are without merit. To be clear, this Order only dismisses the City of Nacogdoches from the present action.

It is therefore **ORDERED** that Plaintiff Shannon Wililams's Objection to Report and Recommendation Granting Defendant the City of Nacogdoches's Motion to Dismiss [Dkt. 115] is **OVERRULED** and Judge Hawthorn's Report and Recommendation Granting the City of Nacogdoches's Motion to Dismiss [Dkt. 110] is **ADOPTED**. Accordingly, Plaintiff Shannon Williams's claims against the City of Nacogdoches are **DISMISSED WITH PREJUDICE**.

SIGNED this 20th day of January, 2023.

Michael J. Truncale

United States District Judge

Mechael J. Truncale